

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GLUCAGON-LIKE PEPTIDE-1
RECEPTOR AGONISTS (GLP-1 RAS)
PRODUCTS LIABILITY LITIGATION**

:
:
:
:
:
:
:
:
:
:
:

Case No. 2:24-md-03094-GEKP
MDL No. 3094

*THIS DOCUMENT APPLIES TO
ALL ACTIONS/ALL CASES*

PLAINTIFF’S STATUS OF PENDING ACTION ITEMS

Pursuant to the Court’s request sent by Ms. Fergusson on May 9, 2024, the Members of the Plaintiffs’ Committee provide the following written update regarding the status of the pending “action-items” discussed at previous status conferences:

1. Proposed/Sample Plaintiff Fact Sheet and Medical Record Authorization

On April 12, 2024, the parties held a multi-hour, in-person meeting in Providence, Rhode Island to discuss the contours of the Plaintiff Fact Sheet. As a result of that meeting and follow up meetings, they are close to agreement on a 13-page sample Plaintiff Fact Sheet (“PFS”). The parties are also negotiating the terms of a Plaintiff Fact Sheet Enabling Order. It is anticipated that this process will be completed within a month.

2. Vendor Selection

The parties have jointly investigated vendors for the Plaintiff Fact Sheet and have agreed upon Rubris and its Crosslink platform for submission of each PFS and transmission of authorizations for the release of medical records. The parties are working with Rubris to create an electronic template for the PFS. The parties are also working with a different vendor, MRC, for the joint collection of medical records.

Plaintiffs' Leadership is currently evaluating proposals from experienced ESI discovery vendors for this case. Plaintiffs' Leadership has narrowed the selection process to two vendors and expect to select one of those vendors within the next month.

3. Discovery-related Orders

The parties filed a Joint Motion for the Entry of Preservation Order [Doc. 99] with the Court on April 17, 2024 and this Court entered the Preservation Order on April 23, 2024 [Doc. 113]. The parties have reached agreement on a proposed Privilege Order and are awaiting final sign off from Defendants. The parties have significantly narrowed the number of outstanding issues on their negotiated ESI Protocol, and to the extent full agreement is not reached, the parties do not anticipate bringing more than a few items to the Court for resolution. The parties are optimistic that they will make similar progress in their continued negotiations of a proposed Protective Order.

4. Rule 26(f) Conference

Plaintiffs reached out immediately after the initial conference in March about a substantive Rule 26(f) discussion for the week of April 8. In mid-April, Defendants offered Plaintiffs an initial virtual meeting, at which the parties discussed objectives, the scope of Rule 26(f) discussions, and specific subject matter area topics for future substantive Rule 26(f) meetings, and the Defendants identified a subset of the potentially relevant ESI systems relevant to Rule 26(f) discussions. Plaintiffs have since offered several dates for in-person meetings for the Rule 26(f) Conference. Defendants have proposed May 22 for the Parties' first substantive Rule 26(f) discussion to be held via zoom.

5. Briefing Schedule

On May 14, 2024, Defendants provided a proposed briefing schedule for motions to dismiss utilizing individual cases as exemplars to test the viability of certain claims. Plaintiffs are reviewing the proposal and seek a meet and confer on that schedule during the week of May 20th.

Dated: May 17, 2024

Respectfully submitted,

/s/ Parvin K. Aminolroaya

Parvin K. Aminolroaya

SEEGER WEISS LLP

55 Challenger Rd., 6th Floor

Ridgefield Park, NJ 07660

Telephone: (973) 639-9100

Email: paminolroaya@seegerweiss.com

/s/ Jonathan Orent

Jonathan Orent

MOTLEY RICE LLC

40 Westminster St., 5th Floor

Providence, RI 02903

Telephone: (401) 457-7700

Email: jorent@motleyrice.com

/s/ Sarah Ruane

Sarah Ruane

WAGSTAFF & CARTMELL

4740 Grand Avenue Suite 300

Kansas City, MO 64112

Telephone: (816) 701-1123

Email: sruane@wcllp.com

/s/ Paul Pennock

Paul Pennock

MORGAN & MORGAN

199 Water Street, Ste 1500

New York, NY 10038

Telephone: (212) 738-6299

Email: ppennock@forthepeople.com

CERTIFICATE OF SERVICE

I hereby certify that on May 17, 2024, a true and correct copy of the foregoing was electronically filed using the Court's CM/ECF System, which will send notification of such filing to counsel listed below:

Samuel W. Silver (PA Bar No. 56596)
Catherine M. Recker (PA Bar No. 56813)
Bruce P. Merenstein (PA Bar No. 82609)
Abigail T. Burton (PA Bar No. 334450)

Welsh & Recker, P.C.

306 Walnut Street
Philadelphia, PA 19106
Telephone: (215) 972-6430
Facsimile: (985) 617-1021
ssilver@welshrecker.com
cmrecker@welshrecker.com
bmerenstein@welshrecker.com
aburton@welshrecker.com

/s/ Nina S. Spizer

Nina S. Spizer, Esq.